

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re:)	Chapter 7
)	Case No. 22-10701
Jacob Bletnitsky,)	Honorable Jacqueline P. Cox
)	Hearing Date: Tues. Jan. 3, 2023
Debtor.)	at 1:00 p.m.

NOTICE OF MOTION

PLEASE TAKE NOTICE that on **Tuesday January 3, 2023, at 1:00 p.m. (Central)**, I will appear before the Honorable Jacqueline P. Cox, or any judge sitting in that judge's place, **either** in courtroom 680 of the Everett McKinley Dirksen United States Courthouse, 219 S. Dearborn Street, Chicago, IL 60604, **or** electronically as described below, and present the **Trustee's Motion to Abandon Property of the Estate**, a copy of which is attached.

All parties in interest, including the movant, may appear for the presentment of the motion either in person or electronically using Zoom for Government.

You may appear electronically by video or by telephone.

To appear by video, use this link: <https://www.zoomgov.com/>. Then enter the meeting ID and passcode.

To appear by telephone, call Zoom for Government at 1-669-254-5252 or 1-646-828-7666. Then enter the meeting ID and passcode.

Meeting ID and passcode. The meeting ID for this hearing is 161 273 2896, and the passcode is 778135. The meeting ID and passcode can also be found on the judge's page on the court's web site.

If you object to this motion and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without calling it.

By: /s/ Norman B. Newman
Norman B. Newman, Trustee

Norman B. Newman, ARDC No. 2045427
SUGAR FELSENTAL GRAIS & HELSINGER LLP
30 N. LaSalle St., Suite 3100
Chicago, Illinois 60602
Telephone: 312.704.9400

Certificate of Service

I, Norman B. Newman, an attorney, certify that on December 2, 2022, I caused to be served a true copy of the attached **Trustee's Motion to Abandon Property of the Estate** together with attachments (a) via the Court's CM/ECF notification system, which delivers notice to the persons listed in the CM/ECF Service List below, and (b) upon the persons in the Mail Service List below by Regular, First Class United States Mail, postage fully pre-paid, addressed as stated in the list, deposited in the U.S. Mail at 30 N. LaSalle St., Chicago, Illinois.

/s/Norman B. Newman

CM/ECF Service List

- **David Freydin** david.freydin@freydinlaw.com, vincent@freydinlaw.com
- **Patrick S Layng** USTPRegion11.ES.ECF@usdoj.gov
- **Richard A. Saldinger** saldinger@lsclegal.com
- **Samantha C San Jose** ssanjose@raslg.com

Mail Service List

- Jacob Bleznitsky, 1400 S Michigan Ave, Unit 2801, Chicago, IL 60605-3731
- 7880 N Lincoln LLC, c/o Hans Kebritchi, 6109 N Kilbourn Ave., Chicago, IL 60646-5019
- Amex ,Correspondence/Bankruptcy, PO Box 981540, El Paso, TX 79998-1540
- Bank Of America, 4909 Savarese Circle, F11-908-01-50, Tampa, FL 33634-2413
- Bank of America, Attn: Bankruptcy, 4909 Savarese Circle, Tampa, FL 33634-2413
- Bank of America, N.A., PO Box 673033, Dallas, TX 75267-3033
- Capital One, Attn: Bankruptcy, P.O. Box 30285, Salt Lake City, UT 84130-0285
- Capital One N.A., by American InfoSource as agent, 4515 N Santa Fe Ave, Oklahoma City, OK 73118-7901
- Citibank ,Attn: Bankruptcy, P.O. Box 790034, St Louis, MO 63179-0034
- Citibank, N.A. ,5800 S Corporate Pl, Sioux Falls, SD 57108-5027
- Citibank/The Home Depot ,Citicorp Credit Svcs/Centralized Bk dept, PO Box 790034, St Louis, MO 63179-0034
- Department of Treasury, Bureau of the Fiscal Service - SBA, PO BOX 830794, Birmingham, AL 35283-0794
- Felix Friedman ,1400 S Michigan #2406, Chicago, IL 60605-3730
- GNP Management Group ,430 N Michigan Ave, Chicago, IL 60611-4087
- Harley Davidson Financial, Attn: Bankruptcy, PO Box 22048, Carson City, NV 89721-2048
- ILLINOIS DEPARTMENT OF REVENUE, BANKRUPTCY UNIT, PO BOX 19035, SPRINGFIELD IL 62794-9035
- Internal Revenue Service, PO BOX 7346, Philadelphia, PA 19101-7346
- JB Capital ,7880 Lincoln Ave., Skokie, IL 60077-3645
- JPMORGAN CHASE BANK, N A, BANKRUPTCY MAIL INTAKE TEAM, 700 KANSAS LANE FLOOR 01, MONROE LA 71203-4774

- Leaf Capital Funding LLC, 2005 Market St, 14th Floor, Philadelphia, PA 19103-7009
- M1 Land Investments, LLC, c/o Bryan Cave Leighton Paisner LLP, 161 N Clark St, Suite 4300, Chicago, IL 60601-3315
- Mercedes-Benz Financial Services ,Attn: Bankruptcy Dept, PO Box 685, Roanoke, TX 76262-0685
- Mercedes-Benz Financial Services USA LLC, c/o BK Servicing, LLC, PO Box 131265, Roseville, MN 55113-0011
- RAS Crane & Partners, PLLC, 10700 Abbott's Bridge, Suite 170, Duluth, GA 30097-8461
- Selene Finance LP, PO BOX 422039, Houston, TX 77242-4239
- Serge Burashko c/o Edward M. Rothschild, Vernon Hills, IL 60061
- Stefen Lippitz c/o Douglas C. Giese - Markoff Law, 29 N Wacker Drive #1010, Chicago, IL 60606-3203
- U.S. Bank Trust National Association, c/o Robertson, Anschutz, Schneid, Crane, Partners, PLLC, Authorized Agent for Secured Creditor, 10700 Abbotts Bridge Rd, Suite 170, Duluth, GA 30097-8461
- U.S. Bank Trust National Association, not in ,Robertson, Anschutz, Schneid, Crane & Pa, 10700 Abbott's Bridge Rd, suite 170, Duluth, GA 30097-8461

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TRUSTEE’S MOTION TO ABANDON PROPERTY OF THE ESTATE

Norman Newman, solely in his capacity as chapter 7 trustee for the bankruptcy estate of Jacob Bleznitsky (the “**Trustee**”), brings this motion (the “**Motion**”) seeking authority to abandon property of the bankruptcy estate of Jacob Bleznitsky (the “**Debtor**”), the debtor in the above-captioned chapter 7 case. In support of the Motion, the Trustee states:

I. JURISDICTION & VENUE

1. The Court has jurisdiction over this matter under 28 U.S.C. §§ 157(a) and 1334. This is a core proceeding under 28 U.S.C. § 157(b)(2)(A). Venue is proper in this District under 28 U.S.C. §§ 1408 and 1409. The statutory bases for the relief requested in this Motion are §§ 105(a) and 554 of Title 11 of the United States Code (the “**Bankruptcy Code**”) and Rule 6007 of the Federal Rules of Bankruptcy Procedure.

II. BACKGROUND

2. The Debtor filed a voluntary chapter 7 bankruptcy petition on September 19, 2022 (the “**Petition Date**”), and the Trustee was appointed Chapter 7 Trustee for the case.

3. The Debtor appeared for examination at a § 341 meeting of creditors on October 19, 2022.

A. Assets to Abandon

4. The Debtor has two assets that the Trustee seeks to abandon herein: (a) a 62.5% shareholder interest in Jacob's Ceramic Studio, Inc. ("***Ceramic***")¹, and (b) United States patent number 6,581,394 B1 (the "***Patent***").

1. Ceramic

5. The Debtor's Schedule B [Dkt. 1 at pg. 13, item 19], his testimony at the § 341 meeting, and the Trustee's subsequent investigation show that the Debtor owns 62.5% of the issued and outstanding shares of capital stock (the "***Ceramic Stock***") of Ceramic, which is an Illinois corporation formed in 1980 that describes itself as a cosmetic dental lab. Its website is <https://jacobs ceramic studio.com/>.

6. On information and belief based on the Trustee's investigation, all assets of Ceramic are subject to a \$500,000 first-priority lien pursuant to a loan from the U.S. Small Business Administration, which far exceeds the value of the company's assets.

7. Additionally, the Trustee has determined the cost to liquidate the Ceramic Stock would almost certainly exceed any proceeds. The Debtor's disclosures and Trustee's investigation indicate that while Ceramic is the primary source of income for the Debtor and his spouse, virtually all value of the company is derived from the Debtor's own know-how and sweat equity, which would not be transferable to a buyer if the Trustee liquidated the Ceramic Stock.

8. The Trustee approached the owner of the other 37.5% of stock, but they expressed no interest for the reasons stated above.

¹ Scheduled under the name "Jacob's Ceramic, Inc."

9. Accordingly, the Ceramic Stock has inconsequential value to the Debtor's bankruptcy estate, and further administration of the Ceramic Stock would be burdensome to the estate.

2. The Patent

10. The Debtor is identified as assignee of the Patent, which is described as an "Air-based refrigeration system." Information about the patent is available here: <https://patents.google.com/patent/US6581394B1>.

11. The Debtor disclosed the Patent in his amended Schedules A/B [Dkt. 29 at item 26].

12. The Patent expired December 7, 2019, nearly two years prior to the Petition Date.

13. Accordingly, the Patent has no value to the Debtor's bankruptcy estate, and further administration of the Patent would be burdensome to the estate.

III. REQUESTED RELIEF

14. The Trustee brings this Motion seeking an order abandoning the Ceramic Stock and the Patent.

15. Under § 554(a) of the Bankruptcy Code, a trustee "may abandon any property of the estate that is burdensome to the estate or that is of inconsequential value and benefit to the estate." *see also Midlantic National Bank v. N.J. Dept. of Env'tl. Prot.*, 474 U.S. 494, 507 (1986) (noting that a trustee's power to abandon property is broad, subject only to state laws or regulations "reasonably designed to protect the public health or safety from identifiable hazards").

16. Because the Trustee has determined that the Ceramic Stock and Patent are of inconsequential value and represent a burden to the estate in this Case, the Trustee has determined

in his business judgment that abandoning the Ceramic Stock and Patent is in the best interests of the Debtor's estate.

17. The Trustee has provided notice of this Motion to (a) the Office of the United States Trustee for the Northern District of Illinois; (b) counsel for the Debtor and (c) all creditors herein.

Wherefore, the Trustee requests that the Court enter an order substantially in the form attached to this Motion that authorizes the Trustee to abandon the Ceramic Stock and Patent, and for any other further relief the Court deems appropriate under the circumstances.

Date: December 2, 2022

By: /s/Norman B. Newman

Norman B. Newman, solely in his capacity as
chapter 7 trustee for the estate of Jacob
Bleznitsky

Norman B. Newman (IL No. 2045427)
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